

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.
)	
Plaintiff,)	JUDGE
)	
v.)	
)	
\$22,838.00 IN U.S. CURRENCY,)	
)	
)	
Defendant.)	COMPLAINT IN FORFEITURE

NOW COMES plaintiff, the United States of America, by Justin E. Herdman, United States Attorney for the Northern District of Ohio, and Henry F. DeBaggis, Assistant U.S. Attorney, and files this Complaint in Forfeiture, respectfully alleging in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure, as follows:

JURISDICTION AND INTRODUCTION

1. This Court has jurisdiction over this *in rem* proceeding pursuant to 28 U.S.C. §§ 1345 and 1355, and 21 U.S.C. § 881.
2. This Court has venue in this matter pursuant to 28 U.S.C. § 1395.
3. Defendant \$22,838.00 in U.S. Currency (“defendant currency”) was seized on February 27, 2019. Defendant currency is now in the possession of the federal government.
4. Subsequent to the seizure, the Drug Enforcement Administration (“DEA”) commenced administrative forfeiture proceedings against the defendant currency. A claim to the

defendant currency was submitted in the administrative forfeiture proceeding by Marc Moorer (“Moorer”), necessitating the filing of this judicial forfeiture action.

5. The defendant \$22,838.00 in U.S. Currency is subject to forfeiture to the United States under 21 U.S.C. Section 881(a)(6) because it constitutes proceeds traceable to illegal drug trafficking activities, and/or was used - or were intended to be used - in exchange for illegal controlled substances, and/or was used - or were intended to be used - to facilitate illegal drug trafficking activities.

FORFEITURE

6. On February 27, 2019, DEA agents and other law enforcement executed search warrants at residences associated with Marc Moorer’s drug trafficking activities.

7. Moorer was arrested on February 27, 2019, at the residence located on Fried Street, in Akron, Ohio, where law enforcement seized approximately \$126,937.00 in U.S. Currency and approximately 21 pounds (9.5 kilograms) of marijuana.

8. On February 27, 2019, law enforcement executed a search warrant at Moorer’s residence on Glenhaven Avenue, in Copley Township, Ohio and seized approximately \$22,838.00 in U.S. Currency found concealed in a pair of cargo shorts in the upstairs bedroom closet.

9. On March 19, 2019, Moorer was indicted in the Summit County Court of Common Pleas (Case No. CR-2019-03-0780-A) and charged with Trafficking in Marihuana in violation of Ohio Revised Code (ORC) Section 2925.03, a felony of the second degree and Possession of Marihuana in violation of ORC Section 2925.11, also a felony of the second degree.

10. The \$22,838.00 in U.S. currency seized was seized as illegal narcotics proceeds and this amount is the defendant currency in this case.

CONCLUSION

11. By reason of the foregoing, the defendant \$22,838.00 in U.S. currency is subject to forfeiture to the United States under 21 U.S.C. § 881(a)(6) in that it constitutes proceeds from illegal drug trafficking activities, and/or was used - or was intended to be used - in exchange for illegal controlled substances, and/or was used - or was intended to be used - to facilitate illegal drug trafficking activities.

WHEREFORE, plaintiff, the United States of America, requests that this Court enter judgment condemning the defendant currency and forfeiting it to the United States, and providing that the defendant currency be delivered into the custody of the United States for disposition according to law, and for such other relief deemed proper.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney


By: 

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VERIFICATION

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

I, Henry F. DeBaggis, under penalty of perjury, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and the attorney for the plaintiff in the within entitled action. The foregoing Complaint in Forfeiture is based upon information officially provided to me and, to my knowledge and belief, is true and correct.


Henry F. DeBaggis (OH: 0007561)
Assistant United States Attorney

Sworn to and subscribed in my presence this 15 day of August, 2019.



DIANE SCHNEIDER
NOTARY PUBLIC
STATE OF OHIO
COMM. EXPIRES
3-9-2022
RECORDED IN
CUYAHOGA COUNTY


Notary Public